

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Daniel E. Ovanezian on 5/22/2008.

The application has been amended as follows:

On page 17, of the specification, replace paragraph [0048] with:

[0048] It will be appreciated by those of ordinary skill in the art that any configuration of the system may be used for various purposes according to the particular implementation. The control logic or software implementing the present invention can be stored in main memory 750, mass storage device 725, or any machine-readable medium locally or remotely accessible to processor 710. A machine-readable medium includes any mechanism for storing or transmitting information in a form readable by a machine (e.g. a computer). For example, a machine readable medium includes read-only memory (ROM), random access memory (RAM), magnetic disk storage media, optical storage media, flash memory devices.

TERMINAL DISCLAIMER

2. The terminal disclaimer filed on 10/19/2007 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of US

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Application No. 10/773, 054 has been reviewed and is accepted. The terminal disclaimer has been recorded.

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: The instant application discloses a method, system and apparatus for multicarrier communication in the presence of periodic impulsive interference. A search of prior art records has failed to teach or suggest, alone or in combination:

“a method comprising: determining a power level of Gaussian noise in a signal; detecting whether impulse noise is in the signal; determining a gain factor associated with the impulse noise; and applying the gain factor to the power level of Gaussian noise in the signal to calculate an equivalent composite noise power, wherein composite noise includes Gaussian and impulse noise” as disclosed in claim 1.

“a method comprising: determining a power level of Gaussian noise in a signal; detecting whether non-Gaussian noise is in the signal; determining a gain factor associated with the non-Gaussian noise; and applying the gain factor to the power level of the Gaussian noise in the signal to calculate an equivalent composite noise power, wherein composite noise includes Gaussian noise and non-Gaussian noise” as disclosed in claim 13.

“a machine-readable medium storing executable instructions to cause a device to perform a method comprising: determining a power level of Gaussian noise in a signal; detecting whether impulse noise is in the signal; determining a gain factor associated with the impulse noise; and applying the gain factor to the power level of Gaussian noise in the signal to calculate an equivalent composite noise power, wherein composite noise includes Gaussian noise and impulse noise” as disclosed in claim 16.

“a machine-readable medium storing executable instructions to cause a device to perform a method comprising: determining a power level of Gaussian noise in a signal; detecting whether non-Gaussian noise is in the signal; determining a gain factor associated with the non-Gaussian noise; and applying the gain factor to the power level of the Gaussian noise in the signal to calculate an equivalent composite noise power, wherein composite noise includes Gaussian noise and non-Gaussian noise” as disclosed in claim 28.

“an apparatus comprising: means for determining a power level of Gaussian noise in a signal; means for detecting whether non-Gaussian noise is in the signal; means for determining a gain factor associated with the non-Gaussian noise; and means for applying the gain factor to the power level of the Gaussian noise in the signal to calculate an equivalent composite noise power, wherein composite noise includes Gaussian noise and non-Gaussian noise” as disclosed in claim 43.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

CONCLUSION

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lawrence B Williams whose telephone number is 571-272-3037. The examiner can normally be reached on Monday-Friday (8:00-6:00).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ghayour Mohammad can be reached on 571-272-3021. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lbw
June 25, 2008

/Lawrence B Williams/
Examiner, Art Unit 2611

/Mohammad H Ghayour/
Supervisory Patent Examiner, Art Unit 2611